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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,979	12/29/2000	Atsushi Nishizawa	NECW 18.159	9046

26304 7590 02/24/2003

KATTEN MUCHIN ZAVIS ROSENMAN
575 MADISON AVENUE
NEW YORK, NY 10022-2585

[REDACTED] EXAMINER

GOUDEAU, GEORGE A

ART UNIT	PAPER NUMBER
1763	[REDACTED]

DATE MAILED: 02/24/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)	
09-751,979	Nishisawa	
Examiner	Group Art Unit	
George Goudreau	1763	

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- Responsive to communication(s) filed on (8-02' to 11-02') (i.e., - papers #6-7),
 This action is FINAL.
 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- Claim(s) 1-12 is/are pending in the application.
 Of the above claim(s) 11-12 is/are withdrawn from consideration.
 Claim(s) _____ is/are allowed.
 Claim(s) 1-10 is/are rejected.
 Claim(s) _____ is/are objected to.
 Claim(s) _____ are subject to restriction or election requirement

Application Papers

- The proposed drawing correction, filed on _____ is approved disapproved.
 The drawing(s) filed on _____ is/are objected to by the Examiner
 The specification is objected to by the Examiner.
 The oath or declaration is objected to by the Examiner.

Pri rity under 35 U.S.C. § 119 (a)-(d)

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).

All Some* None of the:

- Certified copies of the priority documents have been received.
 Certified copies of the priority documents have been received in Application No. _____.
 Copies of the certified copies of the priority documents have been received
in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- | | |
|--|--|
| <input type="checkbox"/> Information Disclosure Statement(s), PTO-1449, Paper No(s). <u>2-4</u>
<input checked="" type="checkbox"/> Notice of Reference(s) Cited, PTO-892
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review, PTO-948 | <input type="checkbox"/> Interview Summary, PTO-413
<input type="checkbox"/> Notice of Informal Patent Application, PTO-152
<input type="checkbox"/> Other _____ |
|--|--|

Office Action Summary

Art Unit: 1763

15. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

-The usage of the term "predetermined" in claims 1-2 is vague, and indefinite.; and
-Applicant's usage of quotes, and square brackets in claims 4-5, 7-10 is incorrect as well as being confusing. (Applicant should only use square brackets for the removal of subject matter from a claim, and not to further define a term. Applicant should remove all quotes from the claims.)

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner George A. Goudreau whose telephone number is (703) -308-1915. The examiner can normally be reached on Monday through Friday from 9:30 to 6:00.

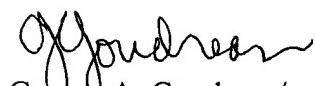
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Examiner Gregory Mills, can be reached on (703) -308-1633. The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) -306-3186.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) -308-0661.


George A. Goudreau/gag

Primary Examiner

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